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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TO: Box non-fee amendment
By FAX to: (571) 273-8300**

RESPONSE TO OFFICE ACTION DATED 04/23/2008

TITLE: TRACKLIGHT SYSTEM

APPLICANTS: JACK V. MILLER and RUTH ELLEN MILLER

SERIAL NUMBER: 10/656,718 **FILING DATE:** 09/08/2003

DATE OF THIS RESPONSE: 04/08/2008 **EXAMINER:** Anabel M. Ton
DO NOT ENTER A.T.

SUMMARY OF THE OFFICE ACTION:

1. The examiner rejects applicants' claim 1 as unpatentable over Fuke et al (6,011,929) and further in view of Szymanek (4,891,737).
2. The examiner objects to claims 2-10 as being dependent on a rejected claim, which would be allowable if re-written as independent claims.
3. The examiner previously allowed claims 1-10 on an office action dated March 13, 2007, stating that "prosecution on the merits is closed in accordance with the practice under Ex Parte Quale, 1935 C.D. 11,453 O.G. 213."
4. The examiner subsequently re-opened prosecution and rejected claim 1 as described above.

RESPONSE TO THE OFFICE ACTION

1. Applicant, Jack V. Miller, submits an amended claim 1, that renders claim 1 patentable over Fuke in view of Szymanek, making it unnecessary to re-write claims 2-10 in independent form.
2. The applicants believe the application is again in condition for allowance.

Respectfully submitted:

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